

104TH CONGRESS
1ST SESSION

S. 1301

To amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council and requirements concerning opportunity-to-learn standards, to limit the authority of the Secretary of Education to review and approve State plans, to permit certain local educational agencies to receive funding directly from the Secretary of Education, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 10, 1995

Mr. SPECTER introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council and requirements concerning opportunity-to-learn standards, to limit the authority of the Secretary of Education to review and approve State plans, to permit certain local educational agencies to receive funding directly from the Secretary of Education, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ELIMINATION OF THE NATIONAL EDUCATION**
 2 **STANDARDS AND IMPROVEMENT COUNCIL**
 3 **AND OPPORTUNITY-TO-LEARN STANDARDS.**

4 The Goals 2000: Educate America Act (20 U.S.C.
 5 5801 et seq.) is amended—

6 (1) by repealing part B of title II (20 U.S.C.
 7 5841 et seq.);

8 (2) by redesignating parts C and D of title II
 9 (20 U.S.C. 5861 et seq. and 5871 et seq.) as parts
 10 B and C, respectively, of title II; and

11 (3) in section 241 (20 U.S.C. 5871)—

12 (A) in subsection (a), by striking “(a) NA-
 13 TIONAL EDUCATION GOALS PANEL.—”; and

14 (B) by striking subsections (b) through
 15 (d).

16 **SEC. 2. STATE AND LOCAL EDUCATION SYSTEMIC IM-**
 17 **PROVEMENT.**

18 (a) PANEL COMPOSITION; OPPORTUNITY-TO-LEARN
 19 STANDARDS; AND SUBMISSION OF PLAN TO THE SEC-
 20 RETARY FOR APPROVAL.—

21 (1) STATE IMPROVEMENT PLAN.—Section 306
 22 of the Goals 2000: Educate America Act (20 U.S.C.
 23 5886) is amended—

24 (A) by amending subsection (b) to read as
 25 follows:

1 “(b) PLAN DEVELOPMENT.—A State improvement
 2 plan under this title shall be developed by a broad-based
 3 State panel in cooperation with the State educational
 4 agency and the Governor.”;

5 (B) by striking subsection (d);

6 (C) by striking subsection (n);

7 (D) by amending subsection (p) to read as
 8 follows:

9 “(p) AMENDMENTS TO PLAN.—Each State edu-
 10 cational agency shall periodically review its State improve-
 11 ment plan and revise such plan, as appropriate.”; and

12 (E) by striking subsection (q).

13 (2) SECRETARY’S REVIEW OF APPLICATIONS.—
 14 Section 307 of such Act (20 U.S.C. 5887) is amend-
 15 ed—

16 (A) by amending subsection (a) to read as
 17 follows:

18 “(a) FIRST YEAR.—The Secretary shall approve the
 19 State educational agency’s first year application under
 20 section 305(b) if the Secretary determines that such appli-
 21 cation meets the requirements of this title.”; and

22 (B) in subsection (b), by striking “(1)(A)”
 23 and all that follows through “(B) the Sec-
 24 retary” and inserting “(1) the Secretary”.

1 (b) LOCAL PANEL COMPOSITION.—Section
 2 309(a)(3)(A) of such Act (20 U.S.C. 5889(a)(3)(A)) is
 3 amended—

4 (1) in the matter preceding clause (i), by strik-
 5 ing “that—” and inserting a semicolon; and

6 (2) by striking clauses (i) and (ii).

7 (c) LOCAL BYPASS.—Section 304 of such Act (20
 8 U.S.C. 5884) is amended by adding at the end the follow-
 9 ing new subsection:

10 “(e) LOCAL BYPASS.—

11 “(1) LOCAL GRANTS AUTHORIZED.—Notwith-
 12 standing any other provision of law, if a State does
 13 not participate in the program authorized under this
 14 title, the Secretary is authorized to use the allotment
 15 such State would have received under this section to
 16 award grants, through a competitive process, to local
 17 educational agencies in such State that have applica-
 18 tions approved under paragraph (2).

19 “(2) APPLICATION REQUIRED.—Each local edu-
 20 cational agency described in paragraph (1) desiring
 21 a grant under such paragraph shall submit an appli-
 22 cation to the Secretary at such time, in such manner
 23 and accompanied by such information, as the Sec-
 24 retary may require. Each such application shall con-
 25 tain assurances that the local educational agency

1 will develop a local improvement plan that meets
 2 such requirements applicable to a State educational
 3 agency under section 306, and will meet such other
 4 requirements applicable to a State educational agen-
 5 cy under this title, as the Secretary determines are
 6 appropriately applied to a local educational agency
 7 under this subsection.”.

8 **SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.**

9 (a) GOALS 2000: EDUCATE AMERICA ACT.—

10 (1) The table of contents for the Goals 2000:
 11 Educate America Act is amended, in the items relat-
 12 ing to title II—

13 (A) by striking the items relating to part
 14 B;

15 (B) by striking “PART C” and inserting
 16 “PART B”; and

17 (C) by striking “PART D” and inserting
 18 “PART C”.

19 (2) Section 2 of such Act (20 U.S.C. 5801) is
 20 amended—

21 (A) in paragraph (4)—

22 (i) in subparagraph (B), by inserting
 23 “and” after the semicolon;

24 (ii) by striking subparagraph (C); and

1 (iii) by redesignating subparagraph

2 (D) as subparagraph (C); and

3 (B) in paragraph (6)—

4 (i) by striking subparagraph (C); and

5 (ii) by redesignating subparagraphs

6 (D) through (F) as subparagraphs (C)

7 through (E), respectively.

8 (3) Section 3(a) of such Act (20 U.S.C. 5802)

9 is amended—

10 (A) by striking paragraph (7); and

11 (B) by redesignating paragraphs (8)

12 through (14) as paragraphs (7) through (13),

13 respectively.

14 (4) Section 201(3) of such Act (20 U.S.C.

15 5821(3)) is amended by striking “, voluntary na-

16 tional student performance” and all that follows

17 through “such Council” and inserting “and vol-

18 untary national student performance standards”.

19 (5) Section 202(j) of such Act (20 U.S.C.

20 5822(j)) is amended by striking “, student perform-

21 ance, or opportunity-to-learn” and inserting “or stu-

22 dent performance”.

23 (6) Section 203 of such Act (20 U.S.C. 5823)

24 is amended—

25 (A) in subsection (a)—

1 (i) by striking paragraphs (2) and (3);

2 (ii) by redesignating paragraphs (4)

3 through (6) as paragraphs (2) through (4),

4 respectively; and

5 (iii) by amending paragraph (2) (as

6 redesignated by clause (ii)) to read as fol-

7 lows:

8 “(2) review voluntary national content stand-

9 ards and voluntary national student performance

10 standards;”; and

11 (B) in subsection (b)(1)—

12 (i) in subparagraph (A), by inserting

13 “and” after the semicolon;

14 (ii) in subparagraph (B), by striking

15 “; and” and inserting a period; and

16 (iii) by striking subparagraph (C).

17 (7) Section 204(a)(2) of such Act (20 U.S.C.

18 5824(a)(2)) is amended—

19 (A) by striking “voluntary national oppor-

20 tunity-to-learn standards;”; and

21 (B) by striking “described in section

22 213(f)”.

23 (8) Section 304(a)(2) of such Act (20 U.S.C.

24 5884(a)(2)) is amended—

1 (A) in subparagraph (A), by adding “and”
 2 after the semicolon;

3 (B) in subparagraph (B), by striking “;
 4 and” and inserting a period; and

5 (C) by striking subparagraph (C).

6 (9) Section 306(o) of such Act (20 U.S.C.
 7 5886(o)) is amended by striking “State opportunity-
 8 to-learn standards or strategies,”.

9 (10) Section 308 of such Act (20 U.S.C. 5888)
 10 is amended—

11 (A) in subsection (b)(2)—

12 (i) in the matter preceding clause (i)
 13 of subparagraph (A), by striking “State
 14 opportunity-to-learn standards,”; and

15 (ii) in subparagraph (A), by striking
 16 “including—” and all that follows through
 17 “part B of title II;” and inserting “includ-
 18 ing through consortia of States;”; and

19 (B) in subsection (c), by striking
 20 “306(b)(1)” and inserting “306(b)”.

21 (11) Section 312(b) of such Act (20 U.S.C.
 22 5892(b)) is amended—

23 (A) by striking paragraph (1); and

24 (B) by redesignating paragraphs (2) and
 25 (3) as paragraphs (1) and (2), respectively.

1 (12) Section 314(a)(6)(A) of such Act (20
 2 U.S.C. 5894(a)(6)(A)) is amended by striking “cer-
 3 tified by the National Education Standards and Im-
 4 provement Council and”.

5 (13) Section 315 of such Act (20 U.S.C. 5895)
 6 is amended—

7 (A) in subsection (b)—

8 (i) in paragraph (1)(C), by striking
 9 “, including the requirements for time-
 10 tables for opportunity-to-learn standards,”;

11 (ii) by striking paragraph (2);

12 (iii) by redesignating paragraphs (3)
 13 through (5) as paragraphs (2) through (4),
 14 respectively;

15 (iv) in paragraph (1)(A), by striking
 16 “paragraph (4) of this subsection” and in-
 17 serting “paragraph (3)”;

18 (v) in paragraph (2) (as redesignated
 19 by clause (iii))—

20 (I) by striking subparagraph (A);

21 (II) by redesignating subpara-
 22 graphs (B) and (C) as subparagraphs
 23 (A) and (B), respectively; and

24 (III) in subparagraph (A) (as re-
 25 designated by subclause (II)) by strik-

1 ing “, voluntary natural student per-
 2 formance standards, and voluntary
 3 natural opportunity-to-learn standards
 4 developed under part B of title II of
 5 this Act” and inserting “and vol-
 6 untary national student performance
 7 standards”;

8 (vi) in subparagraph (B) of paragraph
 9 (3) (as redesignated by clause (iii)), by
 10 striking “paragraph (5),” and inserting
 11 “paragraph (4),”; and

12 (vii) in paragraph (4) (as redesignated
 13 by clause (ii)), by striking “paragraph (4)”
 14 each place it appears and inserting “para-
 15 graph (3)”;

16 (B) in the matter preceding subparagraph
 17 (A) of subsection (c)(2)—

18 (i) by striking “subsection (b)(4)” and
 19 inserting “subsection (b)(3)”; and

20 (ii) by striking “and to provide a
 21 framework for the implementation of op-
 22 portunity-to-learn standards or strategies”;
 23 and

1 (C) in subsection (f), by striking “sub-
 2 section (b)(4)” each place it appears and insert-
 3 ing “subsection (b)(3)”.

4 (14)(A) Section 316 of such Act (20 U.S.C.
 5 5896) is repealed.

6 (B) The table of contents for such Act is
 7 amended by striking the item relating to section
 8 316.

9 (15) Section 317 of such Act (20 U.S.C. 5897)
 10 is amended—

11 (A) in subsection (d)(4), by striking “pro-
 12 mote the standards and strategies described in
 13 section 306(d),”; and

14 (B) in subsection (e)—

15 (i) in paragraph (2), by inserting
 16 “and” after the semicolon;

17 (ii) by striking paragraph (3); and

18 (iii) by redesignating paragraph (4) as
 19 paragraph (3).

20 (16) Section 503 of such Act (20 U.S.C. 5933)
 21 is amended—

22 (A) in subsection (b)—

23 (i) in paragraph (1)—

- 1 (I) in the matter preceding sub-
- 2 paragraph (A), by striking “28” and
- 3 inserting “27”;
- 4 (II) by striking subparagraph
- 5 (D); and
- 6 (III) by redesignating subpara-
- 7 graphs (E) through (G) as subpara-
- 8 graphs (D) through (F), respectively;
- 9 (ii) in paragraphs (2), (3), and (5), by
- 10 striking “subparagraphs (E), (F), and
- 11 (G)” each place it appears and inserting
- 12 “subparagraphs (D), (E), and (F)”;
- 13 (iii) in paragraph (2), by striking
- 14 “subparagraph (G)” and inserting “sub-
- 15 paragraph (F)”;
- 16 (iv) in paragraph (4), by striking
- 17 “(C), and (D)” and inserting “and (C)”;
- 18 and
- 19 (v) in the matter preceding subpara-
- 20 graph (A) of paragraph (5), by striking
- 21 “subparagraph (E), (F), or (G)” and in-
- 22 serting “subparagraph (D), (E), or (F)”;
- 23 and
- 24 (B) in subsection (c)—

1 (i) in paragraph (1)(B), by striking
 2 “subparagraph (E)” and inserting “sub-
 3 paragraph (D)”; and

4 (ii) in paragraph (2), by striking
 5 “subparagraphs (E), (F), and (G)” and in-
 6 serting “subparagraphs (D), (E), and
 7 (F)”.

8 (17) Section 504 of such Act (20 U.S.C. 5934)
 9 is amended—

10 (A) by striking subsection (f); and

11 (B) by redesignating subsection (g) as sub-
 12 section (f).

13 (b) ELEMENTARY AND SECONDARY EDUCATION ACT
 14 OF 1965.—

15 (1) Section 1111 of the Elementary and Sec-
 16 ondary Education Act of 1965 (20 U.S.C. 6311) is
 17 amended—

18 (A) in subsection (b)(8)(B), by striking
 19 “(which may include opportunity-to-learn stand-
 20 ards or strategies developed under the Goals
 21 2000: Educate America Act)”; and

22 (B) in subsection (f), by striking “oppor-
 23 tunity-to-learn standards or strategies,”; and

24 (C) by striking subsection (g); and

1 (D) by redesignating subsection (h) as sub-
 2 section (g).

3 (2) Section 1116 of such Act (20 U.S.C. 6317)
 4 is amended—

5 (A) in subsection (c)—

6 (i) in paragraph (2)(A)(i), by striking
 7 all beginning with “, which may” through
 8 “Act”; and

9 (ii) in paragraph (5)(B)(i)—

10 (I) in subclause (VI), by insert-
 11 ing “and” after the semicolon;

12 (II) in subclause (VII), by strik-
 13 ing “; and” and inserting a period;
 14 and

15 (III) by striking subclause (VIII);
 16 and

17 (B) in subsection (d)—

18 (i) in paragraph (4)(B), by striking
 19 all beginning with “, and may” through
 20 “Act”; and

21 (ii) in paragraph (6)(B)(i)—

22 (I) by striking subclause (IV);
 23 and

1 (II) by redesignating subclauses
 2 (V) through (VIII) as subclauses (IV)
 3 through (VII), respectively.

4 (3) Section 1501(a)(2)(B) of such Act (20
 5 U.S.C. 6491(a)(2)(B)) is amended—

6 (A) by striking clause (v); and

7 (B) by redesignating clauses (vi) through
 8 (x) as clauses (v) through (ix), respectively.

9 (4) Section 10101(b)(1)(A)(i) of such Act (20
 10 U.S.C. 8001(b)(1)(A)(i)) is amended by striking
 11 “and opportunity-to-learn standards or strategies for
 12 student learning”.

13 (5) Section 14701(b)(1)(B)(v) of such Act (20
 14 U.S.C. 8941(b)(1)(B)(v)) is amended by striking
 15 “the National Education Goals Panel,” and all that
 16 follows through “assessments)” and inserting “and
 17 the National Education Goals Panel”.

18 (c) GENERAL EDUCATION PROVISIONS ACT.—Sec-
 19 tion 428 of the General Education Provisions Act (20
 20 U.S.C. 1228b), as amended by section 237 of the Improv-
 21 ing America’s Schools Act of 1994 (Public Law 103–382),
 22 is amended by striking “the National Education Stand-
 23 ards and Improvement Council,”.

24 (d) EDUCATION AMENDMENTS OF 1978.—Section
 25 1121(b) of the Education Amendments of 1978 (25

1 U.S.C. 2001(b)), as amended by section 381 of the Im-
2 proving America's Schools Act of 1994 (Public Law 103–
3 382), is amended by striking “213(a)” and inserting
4 “203(a)(2)”.

○